

THE HON'BLE MR. JUSTICE

V.V.S. RAO

W.P.No. 21598 of 2005

Dated: Monday, the 17<sup>th</sup> day of October, 2005

Between:-

Thota Sateesh

--Petitioner

And

The Khammam Municipality, rep., by its Commissioner at Khammam and two others.

--Respondent (s)

This Court, at the stage of admission, made the following:

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Oral order:-

The petitioner constructed a house bearing No. 9-10-53/1 situated at Ricca Bazaar, Khammam. He approached the 1<sup>st</sup> respondent for water connection from the existing 8"Æ pipeline passing near his home. However, the municipal authorities, after examining the feasibility, sanctioned ½"Æ water supply tap connection from the 6"Æ municipal water supply pipeline. Aggrieved by the same, the petitioner approached the authorities, in vain. Therefore, he filed the present writ petition seeking a direction to the respondents to provide water connection from 8"Æ municipal pipeline to his house.

This court, at the preliminary stage itself, has directed the learned standing counsel for the Municipality to get instructions in the matter. Learned standing counsel produced the necessary file and made submissions.

After perusing the file produced before this court, it becomes clear that though in the plan submitted by the Municipality, the petitioner initially claimed connection from 8"Æ pipe line, but subsequently it is changed to 6"Æ pipeline. This is, however, disputed. Be that as it is, on 27-05-2005, the Municipal Engineer and Deputy Executive Engineer inspected the area and found that it is not possible to give tap connection to the petitioner's house from 8"Æ pipeline, as it was situated in elevated place that there are already number of connections. The petitioner's grievance has been considered and in the absence of any absolute right the writ petition cannot be maintained. The petitioner applied for tap connection and it is not for him to say whether the municipality should give tap connection from 8"Æ municipal pipe lane or 6"Æ municipal pipe lane. The feasibility of work would decide such questions. It is a technical matter and the correctness of the same is not a justiciable issue. Therefore, the writ petition is dismissed. No costs.

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V.V.S. RAO,J

Dated: 17-10-2005

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